

**Notice of Allowability**

Application No.

10/722,757

Examiner

Isiaka O. Akanbi

Applicant(s)

PELLERIN ET AL.

Art Unit

2886

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 27 November 2006.
2. ☒ The allowed claim(s) is/are 1 and 3-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Amendment***

The amendment file 27 November 2006 has been entered into this application. Claims 2 and 24-28 are cancelled.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Michael G. Sharriff on March 5, 2007. Delete "for" and add ";" (semi-colon), as show below in claim 15

The application has been amended as follows:

- In claim 15, the claim is amended as shown:

15. A method of determining the configuration of a part, comprising the steps of:

orienting a first detection assembly with respect to a platform extending to multiple workstations;

transmitting a first signal from the first detection assembly onto the part in the direction transverse to the platform;

receiving the transmitted first signal around the part by the first detection assembly;

evaluating the first signal received from the first detection assembly to determine a first configuration of the part; orienting a second detection assembly with respect to the platform;

transmitting a second signal from the second detection assembly onto the part in the direction transverse to the direction of the first signal;

receiving the transmitted second signal by the second detection assembly around the part;

evaluating the second signal received from the second detection assembly to determine a second configuration of the part; and

integrating the first configuration and the second configuration thereby establishing a third configuration used to identify the part being evaluated from a controller programmed with the third configuration for:

directing subsequent work station to perform work relative to the identified part.

### ***Response to Arguments***

Applicant's arguments/remarks, see pages 7-10, filed 27 November 2006, with respect to the rejection(s) of claim(s) 1, 3-23 under 35 U.S.C. 103(a) and 35 U.S.C. 101 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. The amended claim 15 provide an output from which a user can direct work station to perform work relative to the identified part, as recited in independent claim 15 is a tangible result. Therefore, the rejections have been withdrawn.

### ***Examiner's Reasons for Allowance***

Claims 1 and 3-23 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

As to claim 1, the prior art of record, taken alone or in combination, fails to disclose or render obvious controller having a comparative program for integrating said first configuration and said second configuration thereby establishing a third configuration of the part used to identify the part being evaluated from said controller programmed with said third configuration for directing said subsequent work station to perform work relative to the identified part, in combination with the rest of the limitations of the claim. Claims 3-14 are allowable by virtue of their dependency.

As to claim 15, the prior art of record, taken alone or in combination, fails to disclose or render obvious integrating the first configuration and the second configuration thereby establishing a third configuration used to identify the part being evaluated from a controller programmed with the third configuration for directing subsequent work station to perform work relative to the identified part, in combination with the rest of the limitations of the claim. Claims 16-23 are allowable by virtue of their dependency.

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### **Additional Prior Art**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references listed in the attached form PTO-892 teach of other prior art assembly/method for determining the configuration of a part.

### **Conclusion**

### **Fax/Telephone Information**

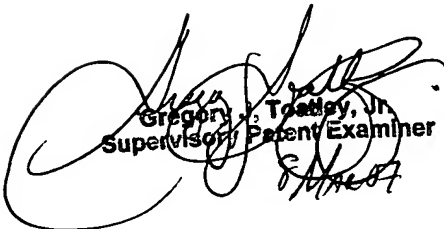
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isiaka Akanbi whose telephone number is (571) 272-8658. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley Jr. can be reached on (571) 272-2059. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Isiaka Akanbi

March 5, 2007



Gregory J. Toatley, Jr.  
Supervisor Patent Examiner